

In The
Court of Appeals
Of Virginia

Brian David Hill,

Appellant,

v.

**Commonwealth of
Virginia, City of
Martinsville**

Appellee.

**ON APPEAL FROM THE CIRCUIT COURT
FOR THE CITY OF MARTINSVILLE**

**MOTION FOR CIRCUIT COURT / TRIAL COURT TO TRANSMIT
COMPLETE RECORD OF THE TRIAL COURT**



Brian David Hill – Ally of Q and Lin Wood
Founder of USWGO Alternative News
310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505
c/o: Rbhill67@comcast.net; Roberta Hill



Pro Se Appellant

– JusticeForUSWGO.wordpress.com

SUMMARY

Brian David Hill, (“Appellant”) files this MOTION asking the Court of Appeals of Virginia in this case to compel transmission of the complete record of the Trial Court from the new Clerk Hon. Jeanie Nunn of the Circuit Court for the City of Martinsville.

Appellant has no need to provide repetitive evidence as evidence of the Trial Court record being incomplete in this case was already proven in the Appellant’s filed “MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL” and “MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL”. All of them were filed on January 17, 2023.

Appellant is grateful to this Court for an extension of time being granted, however this Court forgot to compel the Clerk of the Circuit Court to transmit the entire record of the Trial Court to this Court of Appeals. **Procedural due process requires complete record of the Trial Court if the record is available and had not been destroyed.**

Without the entire record of the Trial Court, it is impossible to file and comply with all Court rules concerning an Appellant’s Designation of the record, and the appeal brief itself. It is impossible to comply with the rule requirements of citing the issues preserved for appeal upon any preliminary review without a complete record

of the Trial court.

Appellant had already proven in multiple motions filed on January 17, 2023 that the entire record of the Trial Court was not received in the Court of Appeals of Virginia on December 14, 2022, but was an incomplete record.

It is obvious and common sense to believe that the record of the Trial Court was incomplete in this case because the very MOTIONS which were denied are not in the transmitted record in this case (yes multiple motions for New Trial were denied and multiple motions were denied asking for the Commonwealth Attorney to respond according to former Clerk Ashby R. Pritchett in email correspondence with rbhill67@comcast.net since Judge Greer did not go into details in his order as to what motions he denied, proof correspondence attached to this motion as evidence). Because the very motions which were denied were not even in the transmitted record from Hon. Ashby R. Pritchett, there is no ability for me to demonstrate any merits in filing an appeal brief with no complete record of the Trial Court. The clerks expect me to comply with the rules including citation of the record and citation of the issues preserved for appeal. That is impossible and I cannot comply with those rules without the COMPLETE record of the Trial Court, this deprives me of due process of law. I do not have the complete record of the Trial Court. Appellant had proven this in four different appeals in this very Court (See CAV Cases no. 1424-22-3, 1425-22-3, 0289-22-3 and 0290-22-3). This Court does not have a complete record of the Trial Court, how many times does Appellant have to repeat this like a parrot

at a bird shop or pet store before anybody realizes this. The Clerks who work at the Court of Appeals of Virginia, this honorable Court, does not have the complete record of the Trial Court in this case.

The attached email record further proves that correspondences were not in the incomplete record of the Trial Court, correspondences which proves to this Court that multiple motions for new trial were denied, not one motion. The judicial officer Hon. Giles Carter Greer made it confusing by not ever clarifying which multiple motions were denied, made it appear that only one motion was denied but the Clerk of the Trial Court said multiple motions were denied. All I know was that Appellant had filed multiple motions for new trial, multiple motions asking for a response from the Commonwealth, and all four of them were denied by Hon. Giles Carter Greer.

For the sake of brevity, Appellant will not reiterate all of the text and evidence exhibits from the filed (1) “MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL” and (2) “MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL”. Appellant hereby incorporates by reference, as if fully set forth herein, all of the (1) “MOTION TO RESTART APPEAL PROCESS AND RETRANSMIT THE RECORD OF THE TRIAL COURT IN APPEAL” and (2) “MOTION FOR INQUIRY AND SANCTIONS AGAINST HON. ASHBY R. PRITCHETT, OFFICER OF THE TRIAL COURT IN APPEAL” evidence exhibits, text, arguments, and citations.

Procedural due process of law requires in criminal cases (this direct appeal is of a criminal case) that this Court of Appeals of Virginia as well as the Trial Court submit the complete record of the Trial Court including all court records of the arrest, correspondences with court officials including clerks, motions, notices, prosecutorial filings with the Court, Defendant's filings, judgements and orders, decrees, evidence, and any transcripts if available.

See *State v. Means*, No. 09-489, 4 (La. Ct. App. Dec. 9, 2009) (“Both this court and the United States Supreme Court have made clear that a criminal defendant has a right to a complete transcript of the trial proceedings, particularly where appellate counsel was not counsel at trial. *State v. Deruise*, 98-0541, p. 11 (La. 4/3/01), 802 So.2d 1224, 1234, cert. denied, 534 U.S. 926, 122 S.Ct. 283, 151 L.Ed.2d 208 (2001), citing *Hardy v. United States*, 375 U.S. 277, 84 S.Ct. 424, 11 L.Ed.2d 331 (1964) and *State v. Robinson*, 387 So.2d 1143 (La. 1980). The Louisiana State Constitution guarantees that “[n]o person shall be subjected to imprisonment . . . without the right of judicial review based upon a complete record of all evidence upon which the judgment is based.” LSA-La.Const. art. I § 19. Additionally, in all felony cases, the clerk or court stenographer shall record all of the proceedings, including the examination of prospective jurors, the testimony of witnesses, statements, rulings, orders, and charges by the court, and objections, questions, statements, and arguments of counsel. LSA-C.Cr.P. art. 843.”).

See *Hardy v. United States*, 375 U.S. 277, 285 (1964) (“...Court of Appeals

must provide the would-be appellant with both the assistance of counsel and a record of sufficient completeness to enable him to attempt to make a showing . . ." that the case presents a nonfrivolous issue. Coppedge v. United States, 369 U.S. 438, 446.”). Coppedge v. United States, 369 U.S. 438, 456 (1962) (“For this reason, we have held that in such cases a Court of Appeals must provide the applicant with the assistance of counsel and with a record of sufficient completeness to give him full opportunity to show that the appeal is in "good faith." Johnson v. United States, supra; Farley v. United States, 354 U.S. 521.”).

Appellant cannot file a Designation of the Record in good faith without the complete record which would prove a good faith appeal and cannot file an appeal brief demonstrating good faith and assignments of error without a complete record of the Trial Court to demonstrate the good faith issues of preservation of the issues for this appeal. Failure of the Trial Court to provide a complete record is a deprivation of procedural due process of law and creates a major prejudice for the Appellant. Deprives Appellant of due process of law as required by both United States Constitution 14th Amendment, and the Virginia Constitution’s requirement of procedural Due Process of Law.

See Virginia Constitution, Article I, Section 11. Due process of law; obligation of contracts; taking or damaging of private property; prohibited discrimination; jury trial in civil cases. (November 6, 2012) (“That no person shall be deprived of his life, liberty, or property without due process of law...”).

If the Trial Court still refuses to transmit the complete record despite the fact they did not destroy any record per se but just simply refused to transmit all records they retain in their possession, then Appellant requests that he be permitted to supplement the record with an affidavit or Declaration under penalty of perjury as to the supplementation of the record necessary for this appeal to move forward. See *State v. Tilton*, 149 Wn. 2d 775, 783 (Wash. 2003) (“The usual remedy for a defective record is to supplement the record with appropriate affidavits and have discrepancies resolved by the judge who heard the case.”).

Other case law suggests the same thing, that incomplete records of the case to be reviewed by a supervisory Court or higher Court is deprivation of procedural due process of law or violates due process of law or both. See *Higgins v. Kelley*, 574 F.2d 789, 793 (3d Cir. 1978) (“Therefore, the record was incomplete when it came up for review in the district court. In view of our holding in *Twiggs v. United States Small Business Administration*, supra, that district court review of an incomplete record does not satisfy the procedural requirements of the Administrative Procedure Act, 5 U.S.C. § 706(2)(D), the agency's refusal to honor Higgins' request for production of documents erroneously denied him his procedural rights.”)

This Court would be depriving Appellant of due process of law if Appellant is required to prosecute his appeal with less than a complete record. See *State v. Dupris*, 373 N.W.2d 446, 449 (S.D. 1985) (“On remand of the new trial motion, the trial court decided, inter alia, that Dupris would be denied due process if she was

required to prosecute her appeal with less than a complete record. Based on the facts of this particular case, we agree. The trial court's adjudication for a new trial was not an abuse of discretion.”). See *Winston v. Kelly*, 592 F.3d 535, 555-56 (4th Cir. 2010) (“If the record ultimately proves to be incomplete, deference to the state court's judgment would be inappropriate because judgment on a materially incomplete record is not an adjudication on the merits for purposes of § 2254(d). *Wilson*, 577 F.3d at 1292; *Drake*, 321 F.3d at 345. New, material evidence, introduced for the first time during federal habeas proceedings, may therefore require a de novo review of petitioner's claim.”).

Appellant had been prejudiced by the incomplete record of the Trial Court.

The prejudices Appellant had suffered are as follows:

1. Appellant's entire evidence exhibits and proof, as well as legal arguments and all preserved issues for appeal as to the motions for new trial which Appellant filed with the Clerk of the Court prior to the Hon. Giles Carter Greer the judicial officer denying those motions. The prejudice is that there is no evidence or proof for this Court to review because of the incomplete record of the Trial Court. This Court would not know of what was denied, what was offered as evidence or proof, what is admissible and what was inadmissible, this Court would know nothing except only the Orders and what was filed after those Orders.
2. The very motions filed by Appellant and was denied by Judge Greer

would not be known to this Court. The evidence would not be known to this appellate Court. The only records this Court will be able to review are the orders, and the notices of appeal and a letter. The only records this Court will be aware of is severely limited records such as:

CITATION from record transmitted in case no. 1424-22-3, for example:

Manuscripts:

FINAL ORDER - DENY MOTION LACK JURISDICT 09/07/2022 1 - 1

ORDER - DEN MOT COMM RESPOND M/J 09/13/2022 2 - 3

AFFIDAVIT - INDIGENCE 09/19/2022 4 - 5

NOTICE - APPEAL (1) 09/19/2022 6 - 26

AFFIDAVIT - INDIGENCE 09/19/2022 27 - 28

NOTICE - APPEAL (2) 09/19/2022 29 - 53

LETTER - COURT OF APPEALS-TRANS REC 11/30/2022 54 - 54

The only records this Court will be able to review are the order and nothing prior to that Court Order. This is definitely an incomplete record. Common sense says such, the orders denying motions not in the incomplete record demonstrates that due process of law rights guaranteed by the two Constitutions (of the United States and of Virginia) had been violated and deprived for Appellant.

3. The prejudice Appellant will suffer is that assignments of error, statement of the facts, and the merits cannot even be adjudicated and

reviewed with the severity of the incomplete record. This Court knows that it is incomplete due to pending appeals under cases no. 0289-22-3 and 0290-22-3. See the records of the appeal for those cases. That itself demonstrates an incomplete record in this case, in both cases no. 1424-22-3, and 1425-22-3. The Clerks normally require by the rules of proper citation to the areas of the record for showing the preservation of the issues and areas of the record containing evidence or other proper citations for prosecution of the appeal. Absent a complete record, this Court has nothing to review other than an order de novo without any prior record or documentation for this Court to make any proper determination on the matters of law, the matters of evidence and facts, and the matters of merit. Appellant has been prejudiced to such a severe extent that merits cannot be shown or proven on the record, prosecution of the appeal is impossible. The prejudice is that Appellant lost all of his constitutional rights to due process of law by the incomplete record. Appellant could file an appeal brief on the basis of matters not in the record and then this Court would have to guess what was in the record. The record hasn't been destroyed, the case files are still in the Trial Court, this Court can clearly ask for all records to resolve this issue. Would this Court want to guess what is true and what is not true based on an incomplete record when the original court has destroyed no

records and past records submitted by the Trial Court already demonstrates incompleteness in this appeal case?

It is impossible for this Court of Appeals of Virginia (CAV) to review over the case and make a correct decision for this appeal without the complete record of the Trial Court. The duty and responsibility of those records lies with the Clerk of the Circuit Court for the City of Martinsville. The former Clerk who serially filed four false certifications of transmitting the complete record of the Trial Court was none other than Hon. Ashby R. Pritchett, and the new Clerk Hon. Jeanie Nunn has the opportunity to correct the mistakes of Ashby R. Pritchett, and transmit the complete record. It is impossible to prosecute this appeal without the complete record, and it would be impossible for this Court to review over any assignments of error without a complete record of the Trial Court. See *Com. v. Williams*, 552 Pa. 451, 459 (Pa. 1998) (“The Superior Court affirmed the judgment of sentence and held that the appellant's failure to supply the Court with a complete record made it impossible to review of the first issue...”)

The records clearly are not destroyed, they are not lost, but simply they were not all transmitted in their entirety. In criminal cases, an Appellant has an even greater constitutional rights and protections under both procedural due process of law and substantive due process of law. That includes procedurally the right to a complete record of the Trial Court. Appellant has a due process right to the complete

record of the Trial Court. The records of the Trial Court have not reportedly been destroyed, they are in the Trial Court itself, but simply Ashby Pritchett filed four false certifications. They are electronic records and/or physical records. The Trial Court does store electronic court filings, and so the Trial Court has the complete records, but they were not transmitted to the Court of Appeals of Virginia in this case, in both cases no. 1424-22-3 and 1425-22-3.

Appellant asks this Court again for the complete record of the Trial Court, as Appellant has the evidence as to the incompleteness of the record, and this Court has the evidence in pending appeal cases no. 0289-22-3 and 0290-22-3. Evidence had been submitted in good faith as to motions filed by Appellant on January 17, 2023, evidence beyond a reasonable doubt, evidence of an incomplete record, false certifications from the Hon. Ashby R. Pritchett before he left office in 2023, and Hon. Jeanie Nunn was interim Clerk of the Trial Court. Appellant had proven the record was incomplete in four different appeal cases, if the proof is not sufficient then this Court can order the Appellant to file more evidence/proof, otherwise Appellant has provided more than enough evidence to warrant that the Trial Court Clerk be compelled to transmit the entire record of the Trial Court.

CONCLUSION

Appellant asks for the following relief in the foregoing case in the CAV:

1. That the former Clerk, Honorable Ashby R. Pritchett be inquired and investigated over four incomplete transmitted records and submitting

false statements in four certifications that the record transmitted was a complete record, when in fact it wasn't which is a fraud on this Court four different times;

2. That the CAV file an order to conduct an inquiry into and possibly order any sanctions into the four false certifications to the Digital Appellate Record (DAR) filed and submitted by the former Clerk Ashby R. Pritchett of the Circuit Court;
3. **The new Clerk Hon. Jeanie Nunn be asked to transmit to this Court of Appeals of Virginia a complete record of the Trial Court and file the entire case records and all records within the control and possession of the Trial Court;**
4. And Appellant asks for any other relief or remedy that the Court of Appeals of Virginia may deem proper and just to resolve the issues laid before this Court to protect the due process of law and of any integrity of the judicial machinery in the Trial Court. Thank you. I appreciate your time and effort to fix this.

Appellant requests relief accordingly and asks for any other relief which the Court of Appeals of Virginia may deem proper and just for the issues raised.

Respectfully Filed/Submitted on February 3, 2023,

BRIAN DAVID HILL

Pro Se

Brian D. Hill
Signed

Brian D. Hill

Brian David Hill – Ally of Qanon
Founder of USWGO Alternative
News

310 Forest Street, Apt. 2
Martinsville, Virginia 24112
(276) 790-3505

Pro Se Appellant

<https://JusticeForUSWGO.wordpress.com>

<https://JusticeForUSWGO.nl>



CERTIFICATE OF COMPLIANCE

1. This motion complies with type-volume limits:

[X] this motion contains [3,035] words.

[] this motion used 50 pages or less.

2. This motion complies with the typeface and type style requirements because:

[X] this motion has been prepared in a proportionally spaced typeface using [Microsoft Word 2013] in [14pt Times New Roman]; or

[] this motion has been prepared in a monospaced typeface using [state name and version of word processing program] with [state number of characters per inch and name of type style].

Brian D. Hill
Signed

Brian D. Hill

Dated: February 3, 2023



Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News
310 Forest Street, Apt. 2 Martinsville,
Virginia 24112
(276) 790-3505

JusticeForUSWGO.wordpress.com

Pro Se Appellant

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 3rd day of February, 2023, I caused this “MOTION FOR CIRCUIT COURT / TRIAL COURT TO TRANSMIT COMPLETE RECORD OF THE TRIAL COURT” and attached evidence to be delivered by email service by Assistant/Filing-Representative Roberta Hill using rbhill67@comcast.net or rbhill67@justiceforuswgo.nl to the Commonwealth of Virginia and City of Martinsville through the Commonwealth Attorney’s Office of Martinsville City; as well as to the named counsel for the Office of the Attorney General; and the original was filed with the Clerk of the Supreme Court of Virginia by Virginia Court eFiling System (VACES) through Assistant/Filing-Representative Roberta Hill which shall satisfy proof of service as required by Rule 5:1B(c) stating that “*Service on Other Parties by Email. – An electronic version of any document filed in this Court pursuant to Rule 5:1B(b) must be served via email on all other parties on the date the document is filed with the Court or immediately thereafter, unless excused by this Court for good cause shown. An e-filed document must contain a certificate stating the date(s) of filing and of email service of the document.*” And the proof that such pleading was delivered will be filed together with this MOTION shall satisfy the proof of service was required by Rule 5A:2(a)(1) and Rule 5A:1(c)(4):

1. Glen Andrew Hall, Esq.
55 West Church Street, P.O. Box 1311
Martinsville, Virginia 24112 or 24114 (for P.O. Box)
Telephone: 276-403-5470

Fax: 276-403-5478

Email: ahall@ci.martinsville.va.us

Counsel for Appellees'

2. Justin B. Hill, Esq.
202 North 9th Street
Richmond, VA 23219
Telephone: (804) 786-2071
Fax: (804) 786-1991
Email: jhill@oag.state.va.us

Counsel for Appellees'

The reason why Brian David Hill must use such a representative/Assistant to serve such pleading with the Clerk on his behalf is because Brian is currently still under the conditions of Supervised Release for the U.S. District Court barring internet usage without permission. Brian's Probation Officer is aware of Roberta Hill using her email for conducting court business concerning Brian Hill or court business with the Probation Office in regards to Brian David Hill. Therefore, Roberta Hill is filing the pleading on Brian's behalf for official court business. Brian has authorized Roberta Hill to file the pleading.

If the Court wishes to contact the filer over any issues or concerns, please feel free to contact the filer Brian David Hill directly by telephone or by mailing. They can also contact Roberta Hill at rbhill67@comcast.net and request that she forward the message and any documents or attachments to Brian David Hill to view offline for his review.



Brian D. Hill



Brian David Hill – Ally of Qanon
Founder of USWGO Alternative News

310 Forest Street, Apt. 2 Martinsville, Virginia 24112

(276) 790-3505

JusticeForUSWGO.wordpress.com

Pro Se Appellant



Subject: RE: Judge Greer's order
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 9/13/2022, 10:47 AM
To: Roberta Hill <rbhill67@justiceforuswgo.nl>

Mrs. Hill,

Terry from my Office will be sending you a copy of Judge Greer's order, and copies of the amended Table of contents of the Motions filed by Brian with the Court of Appeals.

Judge Greer's Order denying Brian's motions doesn't end Brian's case with the Court of Appeals. Judge Greer's Order only declares that the Martinsville Circuit Court doesn't have jurisdiction (power to act) on Brian's motions. Everything Brian has filed has been sent to the Virginia Court of Appeals, who will make the judicial decision on his motions.

Ashby Pritchett, Clerk
 Martinsville Circuit Court


Judge

From: Roberta Hill <rbhill67@justiceforuswgo.nl>
Sent: Monday, September 12, 2022 3:57 PM
To: Ashby Pritchett <apritchett@vacourts.gov>; Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>
Subject: Judge Greer's order
Importance: High

EXTERNAL EMAIL

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Martinsville Circuit Court [\(details\)](#)

 Subscribe

Case #: CR19000009-00

Defendant: HILL, BRIAN DAVID

Pleadings/Orders							
Seq. #	Date	Type	Party	Judge	Book & Page	Instrument	Remarks
158	09/08/2022	OTHER	TTM				TABLE OF CONTENTS-APPEALED
157	09/08/2022	OTHER	TTM				DIGITAL APPELATE REC SUBMT
156	09/07/2022	FINAL ORDER	ARP				<u>DENY MOTION LACK JURISDICT</u>
155	09/06/2022	MOTION	ARP				MJ NEW EVID J CASSELL
154	09/06/2022	MOTION	ARP				REQUEST CA RESPOND TO MJ
153	08/31/2022	OTHER	ARP				LITIGATION HOLD LETTER
152	08/31/2022	MOTION	ARP				JUDGMT OR ACQUITTAL OR TRL

Hon. Ashby Pritchett,

It said on Virginia's OCIS system that my son Brian David Hill's motion or last two motions for judgment of acquittal and possibly the motions asking for the Commonwealth's response were denied on September 7, 2022. Assuming that is what the order was about. The OCIS system said that order was dated as to being Wednesday of last week, but my son checked the mail today and still has not received Judge Greer's order. He received your transmittal document paper mailed on the 9th of September but

has not received a copy of Judge Greer's order.

He needs the order to understand what he should put in his notice of appeal he plans on filing.

I tried to send this message through xFinity but it is not working at the moment, so I am sending this message through my alternate email.

Please send a copy of the order for my son to review or he can call your office to arrange faxing it to him.

Thanks,
Roberta Hill

Subject: RE: Martinsville Circuit Court, Motion for Judgment of Acquittal or New Trial, Litigation hold letter, Motion requesting response, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
From: Ashby Pritchett <apritchett@vacourts.gov>
Date: 8/31/2022, 11:57 AM
To: ROBERTA HILL <rbhill67@comcast.net>

Hello Mrs. Hill.

The PDF document attached to your earlier titled "MOTION REQUESTING COMMONWEALTH ATTORNEY RESPOND TO MOTION FOR JUDGMENT OF ACQUITTAL OR NEW TRIAL" was migrated to the case indexing and imaging system. A copy of your e-mail, containing the hyperlinks to PDF documents titled "motion-new-trial-acquittal" and "Litigation-hold-letter-additional-evidence" was also recorded and scanned into the court file for Mr. Hill, file number CR19000009-00.

These records were submitted to the Court of Appeals yesterday. Because Mr. Hill's case remains before the Virginia Court of Appeals, everything you submit is scanned and sent to that court for review, adding it to the appellate record.

Ashby Pritchett, Clerk

From: ROBERTA HILL <rbhill67@comcast.net>
Sent: Wednesday, August 31, 2022 10:44 AM
To: Hon. Ashby R. Pritchett, Clerk of the Court <APritchett@courts.state.va.us>; Ashby Pritchett <apritchett@vacourts.gov>; Martinsville City Commonwealth's Attorney <ahall@ci.martinsville.va.us>; Coen, Chris <ccoen@oag.state.va.us>
Subject: Re: Martinsville Circuit Court, Motion for Judgment of Acquittal or New Trial, Litigation hold letter, Motion requesting response, no. CR19000009-00, Commonwealth of Virginia et al v. Brian David Hill
Importance: High

EXTERNAL EMAIL

THIS MESSAGE ORIGINATED FROM AN EXTERNAL ADDRESS. USE CAUTION CLICKING ON ANY LINKS OR DOWNLOADING ANY ATTACHMENTS

I need clarification on what was filed.

Was the two motions filed and the litigation hold letter filed? or was it just the one motion asking for the Commonwealth to respond to the other motion?

There are two motions. One asking for new trial in disproving the elements of the charge. The other one asking for the Commonwealth to respond. The litigation hold letter as evidence is surfacing on a suspect or culprit in who him or his company employee(s) directly caused the poisoning of my son with carbon monoxide gas, long term exposure since October 5, 2017 until he left the home and was arrested for indecent exposure for having a medical emergency. The suspect (because we all know who did the chimney work at my Triplex, it was that chimney company, but proving that is quite a challenge) is JaCody Cassell because he has not admitted to causing the poisoning of my son but he lied to the Office of Attorney General in the Dispute Resolution Unit. He is trying to get away with causing the carbon monoxide which caused his indecent exposure. There should be an investigation

into him. That is why my son wants the litigation hold letter filed. My son wants this suspect criminally investigated for causing the metal tin to be placed on the chimney. That caused the long term exposure which eventually led to my son being charged and arrested with indecent exposure. My son will eventually file a motion based on this suspect and ask the State Police to intervene and arrest JaCody Cassell for being the cause of my son's indecent exposure due to his intoxication. Cassell didn't make Brian get naked, but he caused the intoxication of my son by not doing his job correctly and cutting corners in his business. The hospital failed to conduct the laboratory tests at Sovah Health Martinsville and those tests would have proven involuntary intoxication which I believe may be a criminal defense in Virginia to a charge of indecent exposure.

motion-new-trial-acquittal-August-28-2022.pdf - <https://justiceforuswgo.files.wordpress.com/2022/08/motion-new-trial-acquittal-august-28-2022.pdf>

Litigation-hold-letter-additional-evidence.pdf - <https://justiceforuswgo.files.wordpress.com/2022/08/litigation-hold-letter-additional-evidence.pdf> - Has the signed check by suspect JaCody Cassell who his business The Chimney Sweep did chimney work on my Triplex on October 5, 2017

Please clarify whether the two motions and litigation hold letter was filed? Thanks

Thanks,
Roberta Hill

On 8/30/2022 7:12 AM, ROBERTA HILL wrote:

Clerk of Circuit Court for the City of Martinsville,
CC: Glen Andrew Hall, Esquire.

I am Roberta Hill, Brian's mother. I am filing this Motion for Judgment of Acquittal or New Trial based upon new evidence, Motion requesting response from Commonwealth Attorney, and litigation hold letter regarding culprit Jacody Cassell of The Chimney Sweep who poisoned my son with carbon monoxide gas poisoning from October 5, 2017 until he left the home and was arrested. It is all being filed through email to you on Brian's behalf due to his federal probation conditions where he is not allowed to use the internet. He is having me file this pleading on his behalf. My son is having me to serve the respondents through email as well and the certificate of service is in the last page of the PDF file. This email is also being sent to the Respondents to serve them a copy of this pleading, and may also be faxed as well by Brian D. Hill in the event that email may fail.

The new evidence of billing record, other records not previously been filed, it is too big for email and so links are provided to pleadings for the Clerk and Respondents to download.

Please Clerk download the linked pdf document filings and the Court will have the evidence that my son is not guilty of indecent exposure and cannot be convicted anymore.

motion-requesting-response-new-trial-acquittal-August-28-2022.pdf is attached in email
motion-new-trial-acquittal-August-28-2022.pdf - <https://justiceforuswgo.files.wordpress.com/2022/08/motion-new-trial-acquittal-august-28-2022.pdf>
Litigation-hold-letter-additional-evidence.pdf -

<https://justiceforuswgo.files.wordpress.com/2022/08/litigation-hold-letter-additional-evidence.pdf>

Motion contains 28 exhibits. New transcripts not previously made known to Court. Has complete evidence that Officer Robert Jones had an erroneous belief that my son was medically and psychologically cleared. That is not true, beliefs do not make it true. Robert Jones did not tell the truth but told his belief that my son was medically cleared. He was not proven medically cleared. The evidence proven he was not medically cleared. Government agency investigation is going on, evidence given to the investigator about the corrupt doctor who covered up evidence. You have no right to impede or interfere with or obstruct this investigation. Glen Andrew Hall knows the law, as corrupt as he is; getting away with breaking laws right and left. Such as destruction of body-camera footage and three times contempt of court. He knows the law.

Brian Hill will be asking for legal aid to file a lawsuit against Glen Andrew Hall, Esq. if he does not concede defeat. A civil rights lawsuit.

Litigation hold letter is regarding the culprit Jacody Cassell, The Chimney Sweep business entity in Rocky Mount, VA. They are responsible for poisoning my son Brian David Hill with carbon monoxide gas. They started the poisoning on October 5, 2017. Brian D. Hill filed a complaint with the Office of Attorney General of Virginia against The Chimney Sweep and Jacody Cassell responded through his lawyer Eric Ferguson of Rocky Mount. The dispute resolution unit was lied to by Mr. Cassell. They claimed they never gave an estimate and never conducted the service, have no records of the chimney work done. We received a signed \$300 photocopy of the check from TRUIST bank cashed in by Cassell in his own handwriting. We have proven that he through his attorney Eric Ferguson lied to the dispute resolution unit, Attorney General Office. Jacody Cassell through his attorney lied to the Attorney General in response to my son claiming in complaint that The Chimney Sweep caused his indecent exposure by placing metal tin on top of the chimney flues causing carbon monoxide gas to flow into Brian's apartment from October 5, 2017, until he left home and was arrested on September 21, 2018. I was continually exposed to the gas until Pete Compton removed the metal tin on top of the chimney flue. Here is the culprit if it is a crime to almost kill somebody with carbon monoxide gas. The culprit is Jacody Cassell. He should be prosecuted, Glen Andrew Hall. Cassell is responsible for my son acting weird and getting naked on a walking trail after wandering away from home and was arrested on September 21, 2018. Cassell or his business employee caused long term carbon monoxide gas damage and exposure. He claimed he had no records of the chimney work done, and he owns a licensed business but kept no records, defrauded the dispute resolution unit of Attorney General. Jacody is the culprit for the carbon monoxide. I have phone records proving his business cell phone number was in contact with me, phone call logs can be authenticated by Attorney General and State Police if necessary. You have your culprit of what led up to the indecent exposure. Please charge Jacody Cassell. Thank You!

To Clerk: Please confirm by read receipt or response message confirming that you have received this. There is a lot of evidence that the Hon. Giles Carter Greer must review to understand that my son is legally innocent and is entitled to acquittal. Thank You!

Note: If you see any criminal activity or corruption going on in the Legal System or in Government, please report these tips to Project Veritas at VeritasTips@protonmail.com, or go to Project Veritas website.

Roberta Hill (representative for electronic filing)
310 Forest Street, Apartment 1
Martinsville, Virginia 24112

Motion for Judgment of Acquittal, case no. CR19000009-00, Circuit Court for the City of Martinsville
Commonwealth of Virginia, City of Martinsville v. Brian David Hill

Defendant:
Brian David Hill
310 Forest Street, Apartment 2
Martinsville, Virginia 24112

Thanks,
Roberta